

REMARKS

Reconsideration of this application is requested.

The claims have been amended to obviate the Examiner's multiple dependency objection in ¶ 2, page 2 of the action.

The specification has also been amended to provide specific antecedent basis for the claim language referred to by the Examiner in ¶ 3, page 2 of the action.

Additionally, the claims have been amended to obviate the Examiner's Section 112, 2nd ¶ rejection and to otherwise improve the definition of the invention.

New claim 19 represents a rewritten version of claim 10 while claims 20-23 are drawn to more specific aspects of the applicants' invention. Support for these claims is found throughout the applicants' disclosure. See, for example, original claim 10; page 4, first ¶; page 10, the full ¶; the full ¶, page 14 and the related drawings.

The Examiner is respectfully requested to reconsider the Section 103(a) rejection of claims 1-9 based on Behan et al. U.S. 6,568,604. The patent is not properly citable as prior art against the applicants. Since the patent was filed prior to November 29, 2000, it is only citable, i.e. under 35 USC 102(e), as of its October 2, 2000 filing date. This is after the applicants' EP priority date (September 24, 1999) and PCT filing date (September 25, 2000). Furthermore, the PCT corresponding to U.S. 6,568,604 was not published until October 7, 1999, i.e. after the applicants' EP filing date, and less than a year before the applicants' U.S. filing date (i.e. the PCT filing date of September 25, 2000). Accordingly, the Behan et al. patent does not qualify as prior art against the applicants and the rejection of claims 1-9 based thereon should be withdrawn.

The Examiner's indication that claims 10-18 would be allowable if rewritten or amended to overcome the Section 112, 2nd ¶ rejection has been noted. Accordingly, claim 10 has been rewritten as claim 19 and other claims have been amended in a way which is thought to obviate the basis for the Examiner's Section 112, 2nd ¶ rejection. Hence allowance of claims 11-18 and 19 is requested.

New claims 20-23 are also thought to be allowable for essentially the same reasons as the other claims herein.

Attached for the Examiner's consideration is a copy of European Search Report issued on the applicants' corresponding EP application together with copies of the non-U.S. references, except for those already noted of record. A PTO-1449 listing the

references cited in the Search Report and not previously of record, is also attached. These references are not thought to be suggestive of the applicants' invention. However, the Examiner is requested to consider the Search Report and the references in the further examination of this application.

The Examiner's attention is called to the fact that in the applicants' earlier filed PTO-1449, the GB patent cited as No. 535736 should have been listed as No. 525736 as in the attached Search Report. The correct patent number is listed on the attached PTO-1449. The Examiner may wish to delete the erroneous reference to 535736 from the earlier PTO-1449 of record. A copy of the correct GB patent 525736 is attached.

Allowance of the application is thought to be in order and is requested.

Respectfully submitted,
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